

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 10/6/03

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AGENDA SECTION: RESOLUTIONS AND ORDINANCES	ORIGINATING DEPT: CITY ATTORNEY'S OFFICE	ITEM NO. G
ITEM DESCRIPTION: RESOLUTIONS AND ORDINANCES		PREPARED BY: TERRY ADKINS TLA
<p>G. 1. RESOLUTIONS</p> <p>G. 2. FIRST READING OF ORDINANCES, as appropriate.</p> <p>G. 3. SECOND READING OF ORDINANCES (for adoption).</p> <p>a) An Ordinance Annexing To The City of Rochester Approximately 35.97 Acres of Land Located In the Southwest Quarter of The Southwest Quarter Of Section 7, Township 107 North, Range 14 West, Olmsted County, Minnesota. Said property is located on the North side of 55th Street NW along the East side of 60th Avenue NW.</p> <p>b) An Ordinance Creating and Enacting Chapter 77A To The Rochester Code of Ordinances, Relating To The Establishment Of A Storm Water Utility.</p> <p>G. 4. MISCELLANEOUS</p>		
COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____		

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TO: Terry Adkins
FROM: Barb Huberty,
Environmental and Regulatory Affairs Coordinator
DATE: October 1, 2003
SUBJECT: STORM WATER UTILITY ORDINANCE AMENDMENTS

Based on input received during the September 3rd Public Hearing on the proposed Storm Water Utility Ordinance (R.C.O. §77A) and research conducted since that date, the following amendments are needed.

1. The definition for Non-Residential needs to be modified so that townhouse owners are not double billed for their residential property and their commonly-owned outlots. The definition should be modified as follows:

77A.03, Subd. 11. The term "Non-Residential" shall mean a Utility customer class that refers to all parcels other than exempt ~~Undeveloped parcels and~~ Residential parcels including their commonly owned areas. ~~and townhouse development common areas.~~

2. Ch. 77A.04 establishes the Utility and the Fund into which revenues will be deposited. Subdivision 2 is being amended to clarify that grading plan and permit fees will be deposited in the Fund. Grading plan review and approval is a function of the Public Works Department and is a Best Management Practice identified in the Council-approved Storm Water Pollution Prevention Program that we must comply with as part of the Phase II Storm Water Permit. The revision should read as follows:

Subd. 2. All Fees and Charges, along with grants, grading plan and permit fees, other permit or inspection fees, interest earnings, and other revenues collected for the Utility, shall be deposited in the Fund. The Council may make additional appropriations to the Fund. All disbursements from the Fund shall be for the purposes set forth in section 77A.11.

3. Ch. 77A.05 sets the rate structure for the Utility. Subdivision 4 identifies the options the Council has for revising the Storm Water Unit Rate. Item C provides for automatic adjustment of the unit rate based on the change in the Construction Cost Index. This is being revised from an August to a November adjustment to accommodate the calendar year budget cycle. The change should read as follows:

The storm water unit rate and the Plan rate shall be adjusted automatically on November ~~August~~-1st of each year based on the change in the Construction Cost Index as measured in the Minneapolis/St. Paul area during the preceding twelve-month period and as published in Engineering News Record.

Keeping it Clean



As our community grows,
so must its commitment to
protecting and improving

the quality of our water resources. Assets such as Silver Lake and the Zumbro River help make Rochester one of the nation's most livable communities. Keeping our water resources clean and usable is in everyone's interest.

StormWater
MANAGEMENT

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**City of Rochester
City Administrator's Office**

Memo

To: Mayor and City Council
From: Gary Neumann *G. N.*
Date: September 23, 2003
Re: Stormwater Management Ordinance

There is an exemption in the ordinance for "public transportation streets, roads, highways, trails, bike paths and their rights of way, due to general public benefit". The Airport Administration has pointed out that there is a similar public benefit from the public transportation facilities at the airport. They have suggested that this section of the ordinance be revised as follows:

"B. Public transportation streets, roads, highways, bike paths, airport runways and taxiways, aircraft parking areas, and their rights of way, due to general public benefit."

This office is in support of this change.

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